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LETTER DATED 8 JANUARY 1991 FROM THE PERMANENT REPRESENTATIVE OF CHILE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to your note of 8 October 1990 transmitting the text of a questionnaire which the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait decided to address to all States.

With this note I am sending to you the reply of the Government of Chile to that questionnaire.

(Signed) Juan SOMAVIA
Ambassador
Permanent Representative

Annex

Measures taken by the Government of Chile in implementation of Security Council resolution 661 (1990)

1. Legislative framework

(a) The Political Constitution of the State of Chile (article 32, para. 8, and article 50, para. 1),

The Charter of the United Nations (Articles 25, 39, 41 and 48);

(b) No.

(c) Supreme Decree No. 808 of 8 August 1990, calling for "full compliance with Security Council resolution 661 (1990) imposing sanctions on the Republic of Iraq",

Supreme Decree No. 1139 of 30 October 1990, which calls for compliance with Security Council resolution 670 (1990) and supplements resolution 661 (1990).

2. Control of imports or activities which would promote or are calculated to promote imports or transshipment of goods from Iraq and Kuwait

(a) The Ministry of National Defence (Department of National Mobilization) in consultation with the Ministry of Foreign Affairs,

The National Customs Service in the inspection of ports of disembarkation.

(b) The Ministry of Foreign Affairs has informed the Ministry of National Defence of the provisions and binding nature of Security Council resolution 661 (1990), making compliance mandatory. It has also asked to be informed by that Ministry about compliance with that resolution.

3. Control of exports or activities which would promote or are calculated to promote sales or supply of products and commodities to Iraq and Kuwait

(a) The same authorities referred to in connection with the control of imports (see paragraph 2 (a)).

(b) Public bodies involved in foreign trade have been instructed to monitor and prevent any exports to Iraq.

4. Control of financial or economic resources

(a) In Chile, no financial operations are being conducted with Iraq;

(b) It has not been necessary to adopt any special measures because operations of this kind are not taking place.

5. Enforcement

Under Chilean law, there are monetary and criminal penalties and penalties involving the confiscation of any prohibited goods that may be traded illegally with Iraq.

6. Other

(a) Chile has had no problem in fully implementing Security Council resolution 661 (1990). The resolution forms part of the legal provisions in force and is being complied with by both the public and the private sector;

(b) With the publication of Supreme Decree No. 808 referred to above, all authorizations for trade in goods with Iraq involving licences granted prior to the date of the resolution have lapsed. Furthermore, it should be pointed out that already since 1989 there have been no further exports of war materiél to that country;

(c) In the territory of Chile, there are no assets belonging to the Government of Kuwait.